

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:08CR215-FDW

UNITED STATES OF AMERICA,)
)
Plaintiff,.)
)
v.)
)
JAMES DARNELL WINTON,)
)
Defendant.)
)

**FINAL ORDER AND JUDGMENT
CONFIRMING FORFEITURE**

On May 4, 2009, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. §853 and Fed. R. Crim. P. 32(d)(2), based upon the Defendant's plea of guilty on Count One in the Bill of Indictment. As to that Count, Defendant was convicted of possession of a firearm by a convicted felon in violation of 18 U.S.C. §§ 922(g)(1) and 924(e).

On August 27, 2009 through September 25, 2009, the United States published via www.forfeiture.gov, notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notifying all third parties of their right to petition the Court within sixty days from August 27, 2009 for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

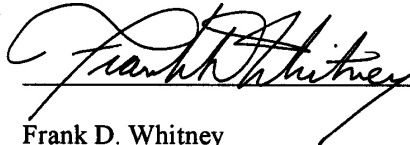
It is therefore ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

One Glock, model 22, .40 caliber pistol and ammunition; and

One Ruger P89, 9mm pistol and ammunition.

Signed: November 11, 2009


Frank D. Whitney
United States District Judge

